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OFFICE OF PETITIONS

In re Patent No. 7,076,483 :
Preda et al. : LETTER REGARDING
Issue Date: July 11, 2006 : PATENT TERM ADJUSTMENT
Application No. 09/940,132 : and
Filed: August 27, 2001 : NOTICE OF INTENT TO ISSUE
Atty Docket No. 13463-002001 : CERTIFICATE OF CORRECTION
:

This is in response to the LETTER REGARDING PATENT TERM ADJUSTMENT filed August 14, 2006. Patentees disclose that the patent term adjustment of 861 days indicated on the Issue Notification (and on the face of the patent) appears to be longer than appropriate.

The request for review of the patent term adjustment indicated in the patent is GRANTED.

The patent term adjustment indicated in the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of EIGHT HUNDRED FIFTEEN (815) days.

On July 11, 2006, the above-identified application matured into U.S. Patent No. 7,076,483, with a revised patent term adjustment of 861 days. Patentees state no basis for their disclosure.

Nonetheless, a review of the record confirms that there was no Office delay in issuing the patent within the meaning of § 1.703(a)(6). The adjustment pursuant to 37 CFR 1.702(a)(4) was not warranted. The issue fee payment was received on March 16, 2006 (not January 26, 2006) and the patent issued within 4 months on July 11, 2006. Accordingly, the period of adjustment of 46 days has been removed.

In view thereof, the patent should have issued with a revised patent term adjustment of EIGHT HUNDRED FIFTEEN (815) days.

As this letter was submitted as an advisement to the Office of an error in Patentees' favor, the Office will not assess the \$200.00 fee under 37 CFR 1.18(e). The Office thanks patentees for their good faith and candor in bringing this to the attention of the Office.

The Certificates of Correction Branch has been advised of this decision. The Certificates of Correction Branch is thereby forwarded this application for issuance of a certificate of correction in order to rectify this error. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **EIGHT HUNDRED FIFTEEN (815) days**.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,076,483 B2

DATED : July 11, 2006

INVENTOR(S) : Preda et al.

DRAFT

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (861) days

Delete the phrase "by 861" and insert – by 815 days--